

CHAPTER 10-06-03 INSTRUCTOR AND COURSE CERTIFICATION

Section

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10-06-03-01. Certification of instructors. The board shall certify instructors deemed qualified to teach in one or more subjects.

1. Instructors will be certified on the basis of minimum qualifications in the areas of education, training, and experience as described in the following sections. Such certification can never be expected to ensure quality instruction, and it should therefore be the continuing responsibility of agency administrators or training officers to see that instructors are supervised on a regular basis to ensure that instructional excellence is maintained.
2. Instructor certification may be revoked by the board whenever it is determined that for purposes of seeking certification or renewal of certification, false information was knowingly submitted to the board. Review of instructor certification may be initiated upon the request of a department head, training officer, or other reliable source. Such review may also be initiated by the board in the absence of external requests or complaints.

History: Effective January 1, 1983; amended effective July 1, 1989.

General Authority: NDCC 12-63-04

Law Implemented: NDCC 12-63-06, 12-63-11

10-06-03-02. Requirements for certification of law enforcement instructors.

1. The board will certify instructors considered qualified to teach in one or more subjects on the basis of the standards provided in this section.
2. Instructors are eligible for certification if they meet the following minimum qualifications in the areas of education, training, and experience. A person applying for certification as a law enforcement instructor to teach peace officer subjects, including patrol, investigation, or the use of firearms must have:

- a. A high school diploma or its equivalent;
 - b. Two years' experience as a licensed peace officer or equivalent;
 - c. Verified training or documented experience in each subject to be taught;
 - d. A course of instructor development training or its equivalent approved by the board, including training in the areas of communication, psychology of learning, techniques of instruction, use of instructional aids, preparation and use of lesson plans, preparing and administering tests, teaching resources, and motivation; and
 - e. A recommendation by the applicant's agency administrator or training officer.
3. The board may, in its discretion, waive any part of the requirements of subsection 2 if it finds that a person, although not meeting all of the eligibility requirements, is otherwise qualified to be an instructor.

History: Effective January 1, 1983; amended effective July 1, 1989; June 1, 2000.

General Authority: NDCC 12-63-04

Law Implemented: NDCC 12-63-06, 12-63-11

10-06-03-03. Certification duration. Instructional certification will be issued for periods of forty-eight months. At the end of a forty-eight-month period, certificates may be renewed provided that:

1. The instructor has instructed in the instructor's certified topic at least once during the life of the certificate;
2. The instructor is recommended by the agency administrator or training officer under whose supervision the instructor last instructed; and
3. The instructor has refreshed the instructor's knowledge of the topic; e.g., has attended further training or has read the latest materials available on the topic area.

Instructors who have not utilized their certificate during its normal life will apply for original certification.

History: Effective January 1, 1983; amended effective July 1, 1989.

General Authority: NDCC 12-63-04

Law Implemented: NDCC 12-63-06, 12-63-11

10-06-03-04. Application for instructor certification. The following procedures will be applicable for all persons wishing to be certified as instructors:

1. Applications for instructional certification will be made on a board-approved form.
2. The board will review all applications for instructional certification. The board has the option of certifying, denying certification, or certifying with stipulated conditions.
3. An instructor's certificate will be forwarded to the applicant upon approval of an application by the board.
4. Denial of certification will result when it is determined that the individual fails to meet the requirements set forth in this section or that for the purpose of seeking certification, false information was knowingly submitted to the board.

History: Effective January 1, 1983; amended effective July 1, 1989.

General Authority: NDCC 12-63-04

Law Implemented: NDCC 12-63-06, 12-63-11

10-06-03-05. Certification of courses. The board shall certify those schools deemed adequate to effectively teach one or more law enforcement-related subjects. Two types of course certification shall be issued:

1. Temporary certification shall be made for schools offering training programs on a one-time or infrequent basis. Temporary certification shall be for a specific program and shall be issued for a definite period of time not to exceed one year. Inservice training conducted within an agency on an unscheduled or infrequent basis for less than an hour per session or by an uncertified instructor will not be eligible for certification.
2. Continuing certification shall be granted for schools offering police training on a regular basis and will continue in effect until surrendered or revoked, but not to exceed a four-year period.

History: Effective January 1, 1983; amended effective July 1, 1989.

General Authority: NDCC 12-63-04

Law Implemented: NDCC 12-63-06, 12-63-11

10-06-03-06. Application for course certification. The following procedures will be applicable to all training courses applying for certification:

1. The individual responsible for planning and coordinating a training program must prepare a letter of application for program certification. This letter should be sent to the division thirty days or as soon as possible in advance of the date the training program is to commence.
2. The application must be accompanied by:

- a. A course curriculum showing the date and location of the course, the hours of instruction, group to be taught (size, experience, etc.), method of evaluation, lesson plan (if available); and
 - b. Information concerning the instructors' education and experience if the instructors have not been certified by the division.
3. Within seven days after the completion of a training program, the coordinator of the program shall forward to the division a completed student roster, showing each student's name, social security number, and agency, hours attended, course name, and training location and date.

History: Effective January 1, 1983; amended effective July 1, 1989; June 1, 2000.

General Authority: NDCC 12-63-04

Law Implemented: NDCC 12-63-06, 12-63-11

10-06-03-07. Notice of revocation or denial - Hearings. The board shall notify in writing any individual or school when it believes there is a reasonable basis for revoking or denying certification of the individual or school. The notice shall specify the basis of the revocation or denial. Every individual and school has the right to a hearing on the issue or denial or revocation. Hearings shall be conducted in accordance with and in the manner prescribed by North Dakota Century Code chapter 28-32.

History: Effective January 1, 1983; amended effective July 1, 1989.

General Authority: NDCC 12-63-04

Law Implemented: NDCC 12-63-06, 12-63-11

10-06-03-08. Appeals. Appeals of board decisions will be made in compliance with North Dakota Century Code chapter 28-32.

History: Effective January 1, 1983; amended effective July 1, 1989.

General Authority: NDCC 12-63-04

Law Implemented: NDCC 12-63-06, 12-63-11